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IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR ZONING VARIANCE
S/S Marriottsville Road, 300 ft. (1/2) W of Granite Road
9 Geier Court (Hill Property)
2nd Election District
1st Councilmanic District
Walter Hill, et ux
Applicant/Developer

* BEFORE THE HEARING OFFICER/
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. 11-509 & 94-484-A

HEARING OFFICER'S OPINION & DEVELOPMENT PLAN AND VARIANCE ORDER

This matter comes before the Zoning Commissioner/Hearing Officer for consideration of a development plan prepared by Nehemiah Enterprises, Inc., Land Planners and Consultants, for the development of the subject property owned by Walter and Barbara Hill, known as the Hill Property. The plan proposes the development of 8 single family dwelling lots on the subject site of 28.5 acres which is zoned R.C.5. The development will be in accordance with the development plan submitted and accepted into evidence as Developer's Exhibit No. 1. As to the Petition for Zoning Variance, relief is requested from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit a 70 ft. front yard setback, in lieu of the required 75 ft., from the c/l of Marriottsville Road permitting the existing house to remain in its current location.

Appearing at the required Hearing Officer's hearing was the property owner, Walter Hill. Also present were John Trueschler, the Landscape Architect who prepared the plan, and Joel Leininger on behalf of S.J. Martenet and Company. Also present were a number of interested citizens from the surrounding locale. These included William and Eva Mitchell, Jeffrey C. Gerhold and Kathryn Hale. Also present were several representatives of the various Baltimore County agencies who evaluated the project. These included Donald Roscoe, the Project Manager, and John L.

ORDER RECEIVED FOR FILING
Date July 16
By John L. Roscoe

Lewis from the Office of Zoning Administration and Resource Management (ZADM), Leslie Schreiber from the Department of Public Works, Francis Morsey from the Office of Planning and Zoning and Larry Pilson from the Department of Environmental Protection and Resource Management.

As to the history of the project, a Concept Plan was submitted on June 7, 1993. Thereafter a Community Input Meeting was held on June 30 1993 at the Herndon Elementary School. The Development Plan was submitted and a conference was held on June 15, 1994. The Hearing Officer's hearing was scheduled and held on July 6, 1994.

As noted above, the project proposes residential development on the subject site. Presently, this site is unimproved, but for an existing house and barn on the north side of the property. The Developer indicated that the house and barn may be razed and, if not, a variance for the height of the barn might be necessary. However, that variance was not part of the request for approval at the Hearing Officer's hearing.

At that hearing, Mr. Trueschler, on behalf of the Developer, indicated that there were no outstanding or unresolved issues to his knowledge. He produced a red line development plan which is noted above and accepted as Developer's Exhibit No. 1. This plan contains several red line amendments to the original development plan to bring same into compliance with the development plan comments. Specifically, it combined lots Nos. 1 and 2 into a single lot and made certain other changes as requested by the reviewing agencies. With these changes, the plan will allow for the creation of 8 single family lots ranging in size from approximately 2.32 acres to 7.34 acres each. The density available under the R.C.5 zoning classification is more than sufficient to support the number of units proposed. It is also to be noted that the site consists of slopes, wetlands and other constraints which limit the amount of developable area.

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Date July 16
By John L. Roscoe

As to any unresolved issues from the reviewing agencies, Mr. Schreiber from the Department of Public Works (DPW) testified and produced a draft request for waiver of Public Works standards pursuant to Section 36-172 of the Baltimore County Code. His draft correspondence, dated July 6, 1994, shall be incorporated herein. Specifically, DPW agreed with the Developer that certain improvements to Marriottsville Road and Granite Road can be waived in this case so as to preserve the rural nature of this locale. Notwithstanding their draft form at the hearing before me, I shall approve and incorporate the comments contained within this correspondence as a condition to this Order.

Mr. Schreiber also indicated that ongoing negotiations with the Developer were continuing regarding street lights for the development. Street lights for this development shall be in accordance with the requirements of law, recognizing the low density nature of this subdivision and character of the surrounding locale.

The other agencies of Baltimore County all indicated that the plan was appropriate and that there were no outstanding issues.

As to the citizens who attended, all reside along Granite Road on the east side of the property. Their concerns all related to lot No. 4 as shown on the plan. They do not object to the balance of the development on this site. As the plan indicates, lot No. 4 is accessed by a driveway which is located between the properties owned by Mr. and Mrs. Hale and Mr. and Mrs. Gerhold. This driveway winds to the interior of the subject site and the location of a proposed single family house on lot No. 4.

A number of questions were raised about this lot and the access thereto. There were concerns expressed over the exact placement of the lot and area of the building envelope. Mr. Trueschler responded to these questions and indicated that the site had been field surveyed and that the

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placement of the dwelling was appropriate. He fielded the questioning raised by the Protestants appropriately and adequately addressed the concerns expressed in my view. He also discussed, along with Mr. Schreiber, the vehicular access and sight distances from the proposed driveway along Granite Road. Those all appeared to be appropriate and satisfy Baltimore County and State Highway Administration standards.

Perhaps, the citizens' concerns were best summed up by the testimony of Mr. Gerhold. He noted that the community of homes along Granite Road was a well established community of long time homeowners. He fears for the damage to the ambience of the surrounding locale. Clearly, this is a tranquil area and he wants the existing character of the vicinity to be maintained.

I am appreciative of the citizens' comments in this regard. It is quite logical that they wish to preserve the existing character of the neighborhood. However, it must be recognized that a property owner has the right to utilize his property in a lawful manner, so long as he observes all relevant development codes and regulations. Clearly, this is not a case where the Developer is overburdening the existing land and stretching the available density to its limit. Under the existing density regulations, 19 lots would be permitted. Less than one-half of that number are actually proposed. Thus, although I am appreciative of the Protestants concerns, I do not deem it appropriate to reduce the number of lots proposed on this site. The location and use of lot No. 4 is appropriate. Moreover, the proposed house will be buffered by the installation of evergreens and landscaping on its east side, towards the back of the homes on Granite Road. For these reasons, I am not persuaded to alter the plan and reduce the number of lots or eliminate lot No. 4. Therefore, the red line plan, as submitted, shall be approved.

ORDER RECEIVED FOR FILING
Date July 16
By John L. Roscoe

As to the Petition for Zoning Variance, noted above, the Developer has requested that same be withdrawn, and I shall so order.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of July 1994, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby approved in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that the Petition for Variance from Section 1A04.3.B.3 of the BCZR to permit a 70 ft. front yard setback in lieu of the required 75 ft. from the c/l of Marriottsville Road, be and is hereby DISMISSED.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date July 16
By John L. Roscoe

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 10301 Marriottsville Road, Randallstown, MD 21133
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

PRACTICAL DIFFICULTY - SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee: N/A

Type or Print Name: WALTER W. HILL, JR.
Signature: Walter W. Hill, Jr.
Address: 9 Geier Court
City: Randallstown, Maryland 21133
State: MD Zipcode: 21133

Signature: Barbara C. Hill
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: John C. Trueschler
Address: 9 Geier Court
City: Randallstown, Maryland 21133
State: MD Zipcode: 21133

Signature: Joel N. Leininger
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Lawrence E. Schmidt
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Simon J. Martenet
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: David S. Implauckas
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Thomas L. Wilhelms
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Simon J. Martenet
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Harry G. Javins
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Seamus P. Tustin
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: J. Howard Sutton
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: William O. Fink
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Samuel A. Thompson
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: George C. Hunter
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Howard D. Tustin
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Howard D. Tustin, Jr.
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

Signature: Richard R. Tustin
Address: 40 West Chesapeake Ave. Suite 605
City: Towson, Maryland 21204
State: MD Zipcode: 21204

ATTACHMENT TO PETITION FOR VARIANCE
FOR 10301 MARIOTTSSVILLE ROAD

PETITION FOR VARIANCE FROM SECTIONS:

1A04.3.B.3. to permit a 70 foot front yard setback in lieu of the required 75' front yard setback from the centerline of Marriottsville Road thus permitting the existing house to remain in its current location rather than be razed.

JUSTIFICATION FOR PETITION FOR VARIANCE

The petitioners would like the opportunity to preserve an existing house which they value for its character and aesthetic appeal. The front of the house is located 70' from the centerline of Marriottsville Road. Given the age and condition of the house, moving it is impossible or impractical; the risk of damage and/or prohibitive cost of relocation render compliance with the 75' front yard setback unnecessarily burdensome. Thus, strict compliance with the Baltimore County Zoning Regulations results in practical difficulty.

Granting the requested variance would not result in a substantial injustice to the applicant or to other property owners. The house has existed in its current location for approximately 60 years, and therefore, the variance will simply maintain the status quo.

The relief sought complies with the spirit of the Baltimore County Zoning Regulations, and secures public safety and welfare by allowing the preservation of an existing structure which has been generally and consistently encouraged by the Baltimore County Council through legislation and by the Office Planning & Zoning policy.

LAND SURVEYORS
S. J. MARTENET & COMPANY, INC.

ESTABLISHED 1849
150 WEST OSTEND STREET
BALTIMORE, MARYLAND 21230
(410) 538-4263

JOEL N. LEININGER
DAVID S. IMPLAUCKAS
THOMAS L. WILHELM

SIMON J. MARTENET 1849-1892
HARRY G. JAVINS 1871-1894
SEAMUS P. TUSTIN 1870-1921
J. HOWARD SUTTON 1884-1940
WILLIAM O. FINK 1887-1921
SAMUEL A. THOMPSON 1896-1944
GEORGE C. HUNTER 1907-1943
HOWARD D. TUSTIN 1907-1960
HOWARD D. TUSTIN, JR. 1944-1969
HOWARD D. TUSTIN, JR. 1945-1988
RICHARD R. TUSTIN 1945-1988

DESCRIPTION
TO ACCOMPANY VARIANCE PETITION
PROPERTY OF WALTER HILL
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same in the center of Marriottsville Road at a point distant South 62° 11' 23" West 300.00 feet (measured along the center of said road) from the intersection of the center of said road and the center of Granite Road, and running thence, with all courses of this description referred to the meridian established in the Baltimore County Metropolitan District, the seven following courses and distances, viz:

- (1) South 14° 06' 15" West 557.65 feet,
- (2) North 75° 53' 45" West 200.00 feet,
- (3) South 14° 50' 30" West 125.00 feet,
- (4) North 47° 39' 29" West 260.00 feet,
- (5) North 01° 36' 23" West 300.00 feet,
- (6) North 88° 23' 40" East 317.39 feet, and
- (7) North 62° 11' 23" East 276.53 feet to the point of beginning; containing 4.5867 acres of land, more or less.

*** NOTE: THIS DESCRIPTION WAS PREPARED SOLELY TO BE USED FOR ZONING PURPOSES AND IS NOT INTENDED TO BE USED IN THE CONVEYANCE OF REAL PROPERTY.

Simon J. Martenet
Simon J. Martenet
Zoning Commissioner
for Baltimore County

476

476

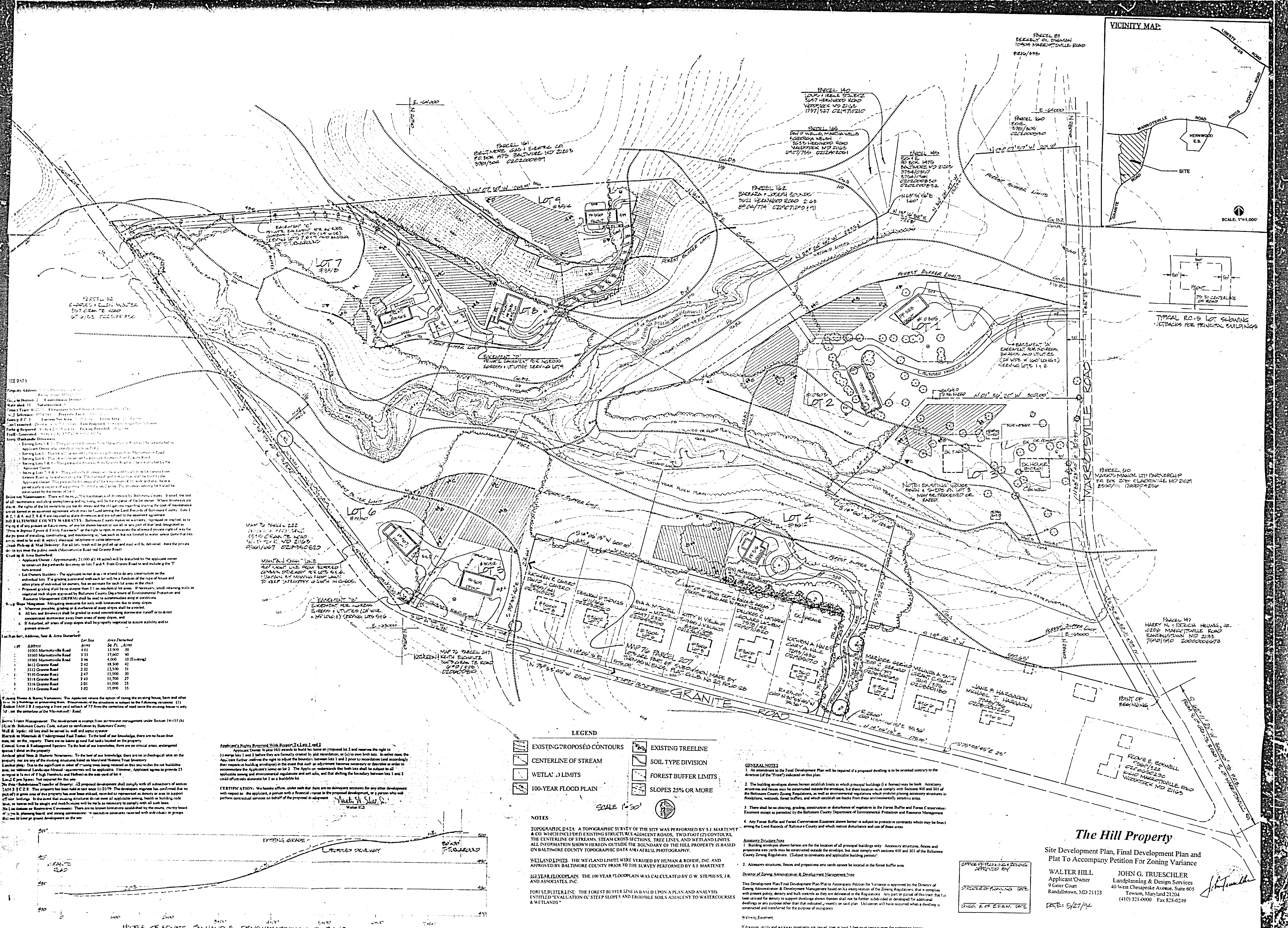


Table with 4 columns: Lot No., Address, Area, and Area Disturbed. It lists lots 1 through 10 and their corresponding addresses and areas.

- LEGEND
- EXISTING PROPOSED CONTOURS
- CENTERLINE OF STREAM
- WETLAND LIMITS
- 100-YEAR FLOOD PLAIN
- EXISTING TREELINE
- SOIL TYPE DIVISION
- FOREST BUFFER LIMITS
- SLOPES 25% OR MORE

NOTES
TOPOGRAPHIC DATA: A TOPOGRAPHIC SURVEY OF THE SITE WAS PERFORMED BY S.J. MARTINEZ & CO. WHICH INCLUDED EXISTING STRUCTURES ADJACENT ROADS, TWO-FOOT (2') CONTOURS, THE CENTERLINE OF STREAMS, STREAM CROSS-SECTIONS, TREE LINES, AND WETLAND LIMITS. ALL INFORMATION SHOWN HEREON OUTSIDE THE BOUNDARY OF THE HILL PROPERTY IS BASED ON BALTIMORE COUNTY TOPOGRAPHIC DATA AND AERIAL PHOTOGRAPHY.
WETLAND LIMITS: THE WETLAND LIMITS WERE VERIFIED BY HUMAN & ROHDE, INC. AND APPROVED BY BALTIMORE COUNTY PRIOR TO THE SURVEY PERFORMED BY S.J. MARTINEZ.
100-YEAR FLOOD PLAIN: THE 100-YEAR FLOOD PLAIN WAS CALCULATED BY G.W. STEPHENS, JR. AND ASSOCIATES, INC.
FOREST BUFFER LIMITS: THE FOREST BUFFER LINE IS BASED UPON A PLAN AND ANALYSIS ENTITLED 'EVALUATION OF STEEP SLOPES AND EROSIONAL SOILS ADJACENT TO WATERCOURSES & WETLANDS'.

The Hill Property
Site Development Plan, Final Development Plan and Plat To Accompany Petition For Zoning Variance
WALTER HILL
Applicant/Owner
9 Court Court
Randallstown, MD 21133
DATE: 5/27/94

John Trueschle

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

IN RE: DEVELOPMENT PLAN HEARING AND PETITION FOR ZONING VARIANCE
S/S Marriottsville Road, 300 ft. c/l of Granite Road
9 Geier Court (Hill Property)
2nd Election District
1st Councilmanic District
Walter Hill, et ux
Applicant/Developer

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Date 7/1/94
By [Signature]

Lewis from the Office of Zoning Administration and Resource Management (ZADM), Leslie Schreiber from the Department of Public Works, Francis Morsey from the Office of Planning and Zoning and Larry Pilson from the Department of Environmental Protection and Resource Management.

As to the history of the project, a Concept Plan was submitted on June 7, 1993. Thereafter a Community Input Meeting was held on June 30 1993 at the Hernwood Elementary School. The Development Plan was submitted and a conference was held on June 15, 1994. The Hearing Officer's hearing was scheduled and held on July 6, 1994.

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As to the citizens who attended, all reside along Granite Road on the east side of the property. Their concerns all related to lot No. 4 as shown on the plan. They do not object to the balance of the development on this site. As the plan indicates, lot No. 4 is accessed by a driveway which is located between the properties owned by Mr. and Mrs. Hale and Mr. and Mrs. Gerhold. This driveway winds to the interior of the subject site and the location of a proposed single family house on lot No. 4.

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I am appreciative of the citizens' comments in this regard. It is quite logical that they wish to preserve the existing character of the neighborhood. However, it must be recognized that a property owner has the right to utilize his property in a lawful manner, so long as he observes all relevant development codes and regulations. Clearly, this is not a case where the Developer is overburdening the existing land and stretching the available density to its limit. Under the existing density regulations, 19 lots would be permitted. Less than one-half of that number are actually proposed. Thus, although I am appreciative of the Protestants concerns, I do not deem it appropriate to reduce the number of lots proposed on this site. The location and use of lot No. 4 is appropriate. Moreover, the proposed house will be buffered by the installation of evergreens and landscaping on its east side, towards the back of the homes on Granite Road. For these reasons, I am not persuaded to alter the plan and reduce the number of lots or eliminate lot No. 4. Therefore, the red line plan, as submitted, shall be approved.

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By [Signature]

As to the Petition for Zoning Variance, noted above, the Developer has requested that same be withdrawn, and I shall so order.

Pursuant to the development regulations of Baltimore County, as contained within Subtitle 26 of the Baltimore County Code, the advertising of the property and the public hearing thereon, I will approve the development plan consistent with the comments set forth above and shall so order.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of July 1994, that the development plan submitted in the within case as Developer/Petitioner's Exhibit No. 1, be and is hereby approved in accordance with the terms and conditions as set forth herein; and,

IT IS FURTHER ORDERED that the Petition for Variance from Section 1A04.3.B.3 of the BCZR to permit a 70 ft. front yard setback in lieu of the required 75 ft. from the c/l of Marriottsville Road, be and is hereby DISMISSED.

Any appeal from this decision must be taken in accordance with Section 26-209 of the Baltimore County Code and the applicable provisions of law.

Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 7/1/94
By [Signature]

Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 10301 Marriottsville Road, Randallstown, MD 21133
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

PRACTICAL DIFFICULTY - SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee: N/A

(Type or Print Name)
Signature
Address
City State Zipcode

Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
(Legal Owner)
WALTER W. HILL, JR.
(Type or Print Name)
Signature
Address
City State Zipcode

Barbara C. Hill
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
JOHN C. TRUESCHLER
(Type or Print Name)
Signature
Address
City State Zipcode

40 West Chesapeake Ave. Suite 605
Towson, Maryland 21204 (410) 321-0000
City State Zipcode

Printed with "Recycled Ink" on Recycled Paper

ESTIMATED LENGTH OF HEARING: 1/2 hr.
the following date: 6-2-94
ALL OTHER DATE 6-2-94
REVIEWED BY: [Signature] DATE 6-2-94

ATTACHMENT TO PETITION FOR VARIANCE
FOR 10301 MARIOTTSSVILLE ROAD

PETITION FOR VARIANCE FROM SECTIONS:

1A04.3.B.3. to permit a 70 foot front yard setback in lieu of the required 75' front yard setback from the centerline of Marriottsville Road thus permitting the existing house to remain in its current location rather than be razed.

JUSTIFICATION FOR PETITION FOR VARIANCE

The petitioners would like the opportunity to preserve an existing house which they value for its character and aesthetic appeal. The front of the house is located 70' from the centerline of Marriottsville Road. Given the age and condition of the house, moving it is impossible or impractical; the risk of damage and/or prohibitive cost of relocation render compliance with the 75' front yard setback unnecessarily burdensome. Thus, strict compliance with the Baltimore County Zoning Regulations results in practical difficulty.

Granting the requested variance would not result in a substantial injustice to the applicant or to other property owners. The house has existed in its current location for approximately 60 years, and therefore, the variance will simply maintain the status quo.

The relief sought complies with the spirit of the Baltimore County Zoning Regulations, and secures public safety and welfare by allowing the preservation of an existing structure which has been generally and consistently encouraged by the Baltimore County Council through legislation and by the Office Planning & Zoning policy.

LAND SURVEYORS
S. J. MARTENET & COMPANY, INC.

ESTABLISHED 1849
150 WEST OSTEND STREET
BALTIMORE, MARYLAND 21230
(410) 538-4263

JOEL N. LEININGER
DAVID S. ENPLAUCKAS
THOMAS L. WILHELM

SIMON J. MARTENET 1849-1892
HARRY G. JAVINS 1871-1894
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J. HOWARD SUTTON 1884-1940
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GEORGE E. HUMMER 1907-1943
HOWARD D. TUSTIN 1907-1960
HOWARD C. SUTTON 1944-1969
HOWARD D. TUSTIN, JR. 1945-1988
RICHARD R. TUSTIN 1945-1988

DESCRIPTION
TO ACCOMPANY VARIANCE PETITION
PROPERTY OF WALTER HILL
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same in the center of Marriottsville Road at a point distant South 62° 11' 23" West 300.00 feet (measured along the center of said road) from the intersection of the center of said road and the center of Granite Road, and running thence, with all courses of this description referred to the meridian established in the Baltimore County Metropolitan District, the seven following courses and distances, viz:

- (1) South 14° 06' 15" West 557.65 feet,
- (2) North 75° 53' 45" West 200.00 feet,
- (3) South 14° 50' 30" West 125.00 feet,
- (4) North 47° 39' 29" West 260.00 feet,
- (5) North 01° 36' 23" West 300.00 feet,
- (6) North 88° 23' 40" East 317.39 feet, and
- (7) North 62° 11' 23" East 276.53 feet to the point of beginning; containing 4.5867 acres of land, more or less.

*** NOTE: THIS DESCRIPTION WAS PREPARED SOLELY TO BE USED FOR ZONING PURPOSES AND IS NOT INTENDED TO BE USED IN THE CONVEYANCE OF REAL PROPERTY.

[Signature]